

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-094744

01/24/2012

HONORABLE BENJAMIN R. NORRIS

CLERK OF THE COURT
I. Ostrander
Deputy

IN RE THE MARRIAGE OF
DAVID A CHAMBERLIN

SHANNON BRADLEY

AND

MICHELLE MOUREY CHAMBERLIN

LEONCE A RICHARD

ALTERNATIVE DISPUTE
RESOLUTION - CCC

**RESOLUTION MANAGEMENT CONFERENCE
REFFERAL TO ALTERNATIVE DISPUTE RESOLUTION
TRIAL TO THE COURT SET**

Courtroom 404 SEF

10:28 a.m. This is the time set for Resolution Management Conference regarding Petitioner's *Petition for Dissolution of Marriage with Minor Child (Non-Covenant)* filed October 5, 2011, and Respondent's response thereto filed November 4, 2011. Petitioner/Father is present and is represented by counsel, Shannon Bradley. Respondent/Mother is present and is represented by counsel, Leonce A. Richard.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Counsel for Father addresses the Court.

LET THE RECORD REFLECT that the parties agree to share joint legal custody of the minor child.

Discussion is held.

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IT IS ORDERED affirming the settlement conference set for **May 15, 2012, at 1:30 p.m.** before Commissioner Lisa Roberts. Counsel and/or the parties should not contact ADR directly. Counsel and/or the parties will receive a notice from ADR setting forth the necessary settlement conference information. **Counsel and/or the parties should notify ADR at (602) 506-7884 if an agreement is reached prior to the scheduled settlement conference.**

IT IS FURTHER ORDERED setting Trial to the Court on **June 19, 2012, at 9:00 a.m. (time allotted: 3 hours) and at 2:00 p.m. (time allotted: 3 hours) before the Honorable Benjamin Norris, Southeast Judicial District, 222 East Javelina Avenue, Courtroom 404, Mesa, Arizona 85210.**

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed one-half of the available time to present all direct, cross, redirect examination, and any argument. **The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to trial setting forth good cause to extend the time** and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

IT IS FURTHER ORDERED any evidence intended to be submitted as exhibits at the time of the trial must be brought to this Court's clerk in courtroom 404 **no later than 12:00 p.m. on Wednesday, June 13, 2012, with a coversheet listing the description of the exhibits.** All exhibits must be hand-delivered to courtroom 404 and must have colored paper separating the exhibits. Any exhibits submitted shall be copied to the opposing party at that same time. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party. In addition, at the time of the commencement of trial, **each party shall provide an extra copy of the exhibits for use by the Court during trial. This extra set of exhibits shall be noted to be the "Bench Copy."**

IT IS FURTHER ORDERED that the failure of either party to appear at the time of trial, or to timely present the Joint Pre-Trial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

NOTICE

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community

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property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the Court before the trial. If you make a written request before the trial, the Court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pre-Trial Statement.

IT IS FURTHER ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents, and exhibits on or before **June 5, 2012**.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed no later than **June 5, 2012**.
3. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider, or employer possessing any relevant information.

IT IS FURTHER ORDERED that Counsel for both parties shall confer at least thirty (30) days prior to trial to conduct settlement discussions, prepare a Joint Pre-Trial Statement in accordance with Rule 76(C)(1), Arizona Rules of Family Law Procedure, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case. Thereafter, the Joint Pre-Trial Statement shall be filed and a copy delivered to this division by no later than **June 13, 2012**. Further, pursuant to Rule 76(C) (2), each party shall file with the Joint Pre-Trial Statement the following:

- a) An Affidavit of Financial Information on a form approved by the Court.
- b) If financial/property issues are in dispute, a detailed itemized inventory of property and debt in accordance with Rule 97, form 12, "Inventory of Property and Debt."
- c) A proposed parenting plan.
- d) A proposed parent's worksheet for child support.

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IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-Trial Statement those exhibits they have agreed will be admissible at trial, as well as any specific objections that will be made to any exhibit, if offered at trial, that is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted.

Counsel and the parties are reminded of their obligation to give prompt notice to the Court of any settlement as required by Rule 70, Arizona Rules of Family Law Procedure.

Continuances, postponements, and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

10:43 a.m. Hearing concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.